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**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

Court Minutes

June 22, 2009

At 9:30 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Scotland, Presiding Justice; Sims, Associate Justice; Robie, Associate Justice; and Harper, bailiff.

C058044 THE PEOPLE v. DANIEL RAY MAIER

Cause called. John P. Dwyer, court appointed counsel, argued for appellant. Craig S. Meyers, Deputy Attorney General, argued for respondent Cause submitted.

At 10:00 a.m., the court recessed. At 10:02 a.m., the court reconvened.

**C058472 PLACER COUNTY SHERIFF v. FRIENDS OF AUBURN/TAHOE VISTA
PLACER COUNTY ANIMAL SHELTER, INC.**

Cause called. Noah Schwinghamer argued for appellant. Brian R. Wirtz , Deputy County Counsel, argued and Gerald O. Carden, Chief Deputy, appeared only for respondent Cause submitted.

At 10:43 a.m., the court recessed. At 10:48 a.m., the court reconvened.

**C058486 WELLS FARGO FINANCIAL LEASING, INC. v. D&M CABINETS et al.;
WOLFE-DAVIS**

Cause called. Jerrold B. Braunstein argued for appellant. Kevin Whiteford argued for respondent Cause submitted.

At 11:40 a.m., the court recessed. At 2:02 p.m., the court reconvened with Scotland, Presiding Justice; Raye, Associate Justice; and Butz, Associate Justice.

**C059624 In re C.R.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND
HUMAN SERVICES v. T.H.**

Cause argued, additional briefing allowed. Leslie A. Barry, court appointed counsel, argued for appellant. Claire Van Dam, Deputy County Counsel, argued for respondent. Appellant's motion for judicial notice and supplemental brief due 07/07/09. Respondent's due 10 days thereafter. Any reply by appellant due 5 days thereafter.

At 2:39 p.m., the court recessed. At 2:41 p.m., the court reconvened with Nicholson, Associate Justice; Hull, Associate Justice; and Butz, Associate Justice.

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The judgment is affirmed.
BLEASE, Acting P.J.
We Concur: Nicholson, J.
Butz, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

June 23, 2009, Continued

C057751 THE PEOPLE v. KENNETH LEDBETTER (Not For Publication)

The judgment is affirmed. The trial court is directed to correct the abstract of judgment consistent with this opinion, and to forward an amended abstract to the Department of Corrections and Rehabilitation.

BLEASE, Acting P.J.

We Concur: Nicholson, J.

Butz, J.

C059842 THE PEOPLE v. TWO JINN, INC. (Not For Publication)

The order denying the motion to vacate forfeiture and exonerate bond, and the order entering summary judgment on the bond are reversed. The cause is remanded to the trial court with direction to vacate its orders and enter a new order granting the motion and discharging the forfeiture. Each party shall bear its own costs on appeal. (Cal. Rules of Court, rule 8.278 (a) (5) .)

ROBIE, J.

We Concur: Scotland, P.J.

Blease, J.

**C060015 THE PEOPLE v. (Not For Publication)
PHILLIP BLAIR JONES**

The judgment is modified to reduce the fine imposed pursuant to Penal Code section 290.3 to \$200. The trial court shall recalculate the corresponding penalties and surcharges. As modified, the judgment is affirmed. The trial court is directed to amend the abstract of judgment accordingly and to send a certified copy of the amended abstract to the Department of Corrections and Rehabilitation.

BLEASE, Acting P.J.

We Concur: Nicholson, J.

Butz, J.

**C060284 THE PEOPLE v. (Not For Publication)
PAREN HASMUKHBHAI PATEL**

The judgment is affirmed.

ROBIE, J.

We Concur: Sims, Acting P.J.

Butz, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

June 23, 2009, Continued

**C060626 In re L.N. et al.; SAN JOAQUIN COUNTY (Not For Publication)
HUMAN SERVICES AGENCY v. E.N.**

The order terminating parental rights is vacated, and the matter is remanded to the juvenile court with directions to order the San Joaquin County Human Services Agency to comply with the notice provisions of the Indian Child Welfare Act as outlined in this opinion. ...

NICHOLSON, J.

We Concur: Sims, Acting P.J.
 Cantil-Sakauye, J.

June 24, 2009

C056383 FERGUSON v. FOGGY (Not For Publication)

The judgment is affirmed. Ferguson shall recover his costs on appeal. (Cal. Rules of Court, rule 8.278 (a) (1) .)

ROBIE, J.

We Concur: Blease, Acting P.J.
 Hull, J.

C058932 THE PEOPLE v. LUIS LUNA (Not For Publication)

The matter is remanded for further proceedings in light of part II of the Discussion. In all other respects, the judgment is affirmed.

HULL, J.

We Concur: Raye, Acting P.J.
 Robie, J.

**C060608 THE PEOPLE v. (Not For Publication)
STEVEN LYLE LINDSTROM**

The judgment is affirmed.

RAYE, Acting P.J.

We Concur: Hull, J.
 Robie, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

June 24, 2009, Continued

**C060210 THOMPSON et al. v. THE SUPERIOR (Not For Publication)
COURT OF SAN JOAQUIN COUNTY;
MAXIM CRANE WORKS, L.P.**

The order of contempt is affirmed. The award of attorney fees and costs is reversed and the matter remanded for further proceedings consistent with the views expressed in this opinion. The writ is discharged and the stay is lifted. The parties shall bear their own costs of this writ proceeding.

(Cal. Rules of Court, rule 8.493 (a) (1) (B) .)

CANTIL-SAKAUYE, J.

We Concur: Hull, Acting P.J.

Butz, J.

**C056049 THE PEOPLE v. ARMANDO de la CRUZ
BY THE COURT:**

Office of the Public Defender's request to publish the opinion filed on June 09, 2009, is denied.

SIMS, Acting P.J.

June 25, 2009

C058812 PEROTTI v. PEROTTI (Not For Publication)

The order is affirmed. Mother shall reimburse Father for his costs on appeal. (Cal. Rules of Court, rule 8.278 (a) (1) .)

SIMS, J.

We Concur: Scotland, P.J.

Cantil-Sakauye, J.

**C059321 In re HARVEY ZANE JENKINS on (Certified For Publication)
Habeas Corpus.**

The order filed April 25, 2008, granting relief on Jenkins's habeas corpus petition is reversed, and the case is remanded to the superior court with instructions to enter a new order denying relief.

ROBIE, J.

We Concur: Scotland, P.J.

Cantil-Sakauye, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
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Court Minutes

June 26, 2009

C056282

THE PEOPLE v. JAMES DANIEL HALLER

BY THE COURT:

Appellant's petition for rehearing is denied.

SIMS, Acting P.J.